

## **Exhibit 5**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF  
RESOURCE COUNCILS et al.,

Plaintiffs,

vs.

UNITED STATES BUREAU OF  
LAND MANAGEMENT,

Defendant,

and

STATE OF WYOMING,

Intervenor-Defendant.

Case No. 4:20-cv-00076-BMM-JTJ

**DECLARATION OF WADE  
SIKORSKI**

I, Wade Sikorski, hereby declare:

1. The facts and opinions set forth in this declaration are based on my personal knowledge and experience. If called as a witness in these proceedings, I could and would testify competently to these facts and opinions.

2. My name is Wade Sikorski. I live on my family ranch in southeastern Montana, where we use a half section of BLM land for grazing. My great grandfather homesteaded our place in 1911, and I have lived here all my life, except when I was going to college and graduate school and one year when I was an Assistant Professor at New Mexico State University.

3. I have a Ph.D. in political science from the University of Massachusetts at Amherst. My primary field is contemporary political theory, and my publishing and research interests involve various issues in political ecology.

4. I have been a member of the Montana Environmental Information Center, the Northern Plains Resource Council, and the Western Organization of Resource Councils at least since the early 1990's, and I am currently a member of the Sierra Club and have been on and off for most of my life.

5. The earth-sheltered house that I built as I was finishing my dissertation is just below a hill that is one of the highest points between Baker and Ekalaka. From my house, as a result, I can see to the Ekalaka Hills, about 15 miles to the south. To the west, I can see past the Powder River, to the pine covered hills

outside of Miles City—a good part of the 80 miles Miles City is distant from me. To the southwest, I can also see a good part of the distance to Broadus. I have no idea how far away the horizon is, but I imagine that if I went to the last ridge that I can see, I might be looking down into the valley where Broadus is. To the northeast, I can see the Diamond Willow wind farm outside of Baker. At night I can see the lights flashing on the wind farms near Rhame in North Dakota. So, from where I live, I am overlooking a good part of the land that the BLM's Miles City RMP covers. Every morning I step out of my house, I will be able to see what it is doing to the land.

6. For example, there is an area northwest of my house that could be developed for coal under the Miles City RMP. See MCFO-AR-404-46223 (Miles City Record of Decision “Areas Acceptable for Further Consideration for Leasing”). That development may be visible to me as I stand on top of the buttes on my property. That would be tragic. The view from those buttes is the most scenic part of our place. I love going there. Standing on top of those buttes, it is easy to imagine what the country looked like before it was settled, or even to the time of the dinosaurs.

7. My property also overlooks a large area that is open to oil and gas development under the RMP and is deemed to have “medium” potential for such

development. Under the RMP, significant portions of this area will not have any oil and gas leasing restrictions.

8. By making land that I view from my house open to oil and gas and coal development, the Miles City RMP threatens my aesthetic enjoyment of the view from my house and property. This injury could be redressed by a favorable decision from this Court—for example, a remand of the Miles City RMP to BLM to consider additional leasing restrictions or closures to development.

9. Although my family ranch does not have any operating oil wells, we had a dry one drilled on our place half a century ago, and I live close enough to the Baker oil field to know what the consequences of fossil fuel development are—noise, harm to the land, disruption of wildlife behavior, and economic cost. I am concerned that the BLM’s Miles City RMP will contribute to global warming that is threatening my family’s farm and ranch operation. I am also concerned that the BLM’s Miles City RMP will undermine our efforts to improve wildlife habitat on our place. As an example of our efforts, a couple of years ago, we received an Upland Game Bird Enhancement Program grant from the Montana Department of Fish, Wildlife, and Parks (Montana FWP). Here is a map created by Montana FWP, which shows our property as a “private land project”:

[http://fwp.mt.gov/export/sites/FwpPublic/gisResources/docs/hunterAccess/UGB/51\\_2016.pdf](http://fwp.mt.gov/export/sites/FwpPublic/gisResources/docs/hunterAccess/UGB/51_2016.pdf) (Our property is the area in the center outlined in black between

Shelterbelt Road and Webster Road.) To meet some of the requirements for the grant, we planted a large shelterbelt of trees, like juniper, near one of our spring-fed reservoirs, where wildlife was already thriving. We reduced our grazing, and we also built wildlife-friendly fences to split our pastures up so that we can better manage them.

10. On the rest of our place, we are following the best management practices recommended by the Natural Resources Conservation Services' (NRCS) Conservation Stewardship Program (CSP). Under these practices, we do things like leaving a strip of our crop unharvested on our fields as food for wildlife during the winter. We also will split hayfields in half when we are swathing them, and work from the inside out, so that wildlife will have a better chance to escape. More significantly, we farm all our land using no-till practices, which significantly reduces our fossil fuel use and increases the amount of carbon we sequester in our soil.

11. Traditional tillage practices use a lot of fossil fuel—around a half gallon per acre for light tillage, a gallon for heavier tillage, and perhaps several gallons for heavy tillage, which almost no one does anymore. A conventional farmer will till the ground six times, sometimes more, if they leave it fallow for a year, and then at least two more times preparing the seed bed the next spring. So, it takes a lot of diesel fuel to raise a crop with conventional tillage. On the other

hand, with no-till, diesel fuel is used mostly for planting, with only a small amount used for spraying for weeds. If all American farmers went to no-till, following the federal government's best management practices, as my family is doing under the Conservation Stewardship Program, it would significantly reduce the need for the BLM to open up its land for fossil fuel development.

12. Besides using diesel fuel, every tillage pass releases the carbon sequestered in the soil, and as a result of a century of massive use of fossil fuel for tillage, the carbon sequestered on America's farmland has been falling, so that now the carbon sequestered in our nation's cropland is only a fraction of what it was. Using best management practices, that could be reversed. Farmers and ranchers could actually be taking carbon out of the air and sequestering it in the soil, helping in efforts to limit global warming instead of being a significant cause of it. Encouraging farmers and ranchers to follow NRCS's best management practices would also reduce soil erosion, enhancing wildlife habitat in rivers, streams, and wetlands by reducing the amount of topsoil and chemicals washed into them.

13. My family has been doing a lot to enhance wildlife habitat on our place. If the BLM proceeds with fossil fuel development under the Miles City RMP as it proposes to do, our efforts could be undone. Instead of finding ways to develop fossil fuels, with the inevitable result of disrupting wildlife habitat across

southeastern Montana, and making global warming worse, the BLM should be finding ways to reduce the need for fossil fuel use.

14. As a result of my experiences with changing weather patterns and hydrological cycles on my family's ranch, I am also increasingly alarmed by the impact that global warming is having on our ecosystems, our economy, our political system, our health, and our spiritual well-being. As climate scientists have long been warning us, global warming is happening, is human caused, and will threaten our civilization if we continue to develop our fossil fuel resources. Through the Miles City RMP, the BLM made available more than 1.2 million acres of land for federal coal leasing containing billions of tons of coal and 6.6 million acres of land for federal oil and gas leasing on which BLM projects more than 7,000 wells will be drilled. The Miles City RMP's authorization of this massive amount of development will contribute significantly to climate change. If the Miles City RMP is remanded back to the BLM by this court, the BLM might more fully consider the climate change implications of its actions, including the indirect effects on farming and wildlife habitat. The BLM could decide to make available less land for fossil fuel leasing and shift its efforts from fossil fuel development to promoting best agricultural management practices, thus reducing climate change harms that my family and I are experiencing.

15. As a farmer, I have the deepest reservations about my family's ability to operate our ranch, producing the food we all need, if things continue as they have. I am 65 years old now, and well enough experienced with how drought, heat, and extreme weather events like hail can impact crop production to know how global warming is going to turn out. I know how insects like grasshoppers thrive when it is hot and dry, and how extreme weather events like drought, heat waves, tornadoes, and hail storms are becoming more common and disruptive. And I know that we just cannot continue as we have if the children of today are going to have a bearable future.

16. For over 25 years, I have been coping with major depression. I have tried a variety of different anti-depressants and found them all inadequate. I exercise diligently, meditate, eat the right foods, doing all the things that are supposed to help, and yet my depression continues. I have discovered that being in nature, especially lying down beneath trees and letting their presence guide my thoughts, can be quite healing. I call it tree therapy. As I listen to the sound the wind makes blowing through their leaves, watching their branches sway in the wind, I contemplate their persistent strength through the changing seasons, the long years of their life, and how they are able just to let troubling things be, droughts and storms, blizzards and hail. As I think about what they have endured, my troubling thoughts go away, and I find peace, an escape from my depression.

17. My most frequent retreat is to an orchard my great grandfather planted, but really, I depend upon healthy ecosystems all throughout southeastern Montana. I am grateful to the peace the trees have given me, and it troubles me that new areas near my home, from where I can see so much of southeastern Montana, could be opened up to fossil fuel development, with results similar to what has already happened in the oilfield around Baker. My tree therapy may have made me more vulnerable than others to the environmental disruptions that will come with fossil fuel development, but I suspect all of us are nurtured and healed by healthy ecosystems, so I urge the court to consider how important the health of the land is for the health of our souls.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: October 28, 2021.

  
Wade Sikorski